

Received  
AUG 29 2022



7017 1070 0000 8588 1063



THE  
YORK FIRM  
1776 Briarcliff Road NE | Suite 200 | Atlanta, GA 30306



TRACKSURE INSURANCE AGENCY, INC.  
Attn: Laurie J. Harris  
2677 N MAIN ST STE 600  
SANTA ANA CA 92705-6629



\$7.820  
US POSTAGE  
FIRST-CLASS  
FROM 30030  
AUG 23 2022  
stamps  
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Atlanta, Georgia 30306  
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August 23, 2022

Via certified mail with return receipt  
Article Nos. 7018 0360 0000 7476 1804  
7017 1070 0000 8588 1063  
7017 1070 0000 8588 1070

Sedgwick Claims Management Services, Inc.  
Attn: Kendrick Conklin  
PO Box 14155  
Lexington, KY 40512

Reliable Lloyd's Insurance Company  
11222 Quail Roost Drive  
Miami, FL 33157

TrackSure Insurance Agency, Inc.  
Attn: Laurie J. Harris  
2677 N. Main Street, Suite 600  
Santa Ana, CA 92705

Re:	My client:	Aravind Ramachandran
	Your insured:	HyreCar, Inc.
	Date of Incident:	10/08/2021
	Claim Number:	C166075949-0003-01/FAR3381010
	Case Number:	Fulton County State Court, 22EV003604

Dear Mr. Conklin, Sedgwick Claims Insurance, Reliable Lloyd's Insurance Company:

Pursuant to O.C.G.A. § 33-7-15(c), I have enclosed the following documents:

1. Complaint for Damages
2. Summons of Mark A. Smith
3. Plaintiff's First Request for Production of Documents to Defendant
4. Plaintiff's First Interrogatories to Defendant
5. Plaintiff's First Request for Admissions to Defendant

Please feel free to contact me if you have any questions. Thank you.

Sincerely,



Jonathan D. Flack

Enclosures

IN THE STATE COURT OF FULTON COUNTY  
STATE OF GEORGIA

ARAVIND RAMACHANDRAN

Plaintiff,

v.

MARK A. SMITH

Defendant.

Case No.

Complaint for Damages

## Parties, Jurisdiction, and Venue

1. Plaintiff Aravind Ramachandran is a resident of Georgia.
2. Defendant Mark Smith is a resident of Fulton County.
3. Defendant Smith can be served with process at his residence, located at 2602 Peachtree Park Drive NE, Atlanta, Georgia 30309.
4. Defendant Smith is subject to the jurisdiction of this Court.
5. Venue is proper in this Court.

## Facts and Background

6. On October 8, 2021, at 1:30 a.m., Mr. Ramachandran was driving a Honda Civic Northbound on Georgia 400 near Lenox Road.
7. At that same time, Defendant Mark Smith was driving a Jeep Cherokee Southbound on Georgia 400 North—the wrong direction of travel.
8. Defendant was traveling approximately 70 miles-per-hour.
9. Defendant drove his vehicle head-on into the vehicle driven by Mr. Ramachandran, causing a head-on collision at high speed (“the Crash”).
10. As a result of the impact from the Crash, Mr. Ramachandran suffered serious injuries.



11. At all relevant times, Mr. Ramachandran exercised due care for his own safety.
12. The Jeep Cherokee Defendant was driving was a rental vehicle he rented from AmeriDrive Holdings, Inc.

### **Negligence of Defendant**

13. Defendant owed a duty of care to the motoring public in general, and to Mr. Ramachandran in particular, to operate his vehicle in a reasonable and prudent manner and to adhere to the Rules of the Road for the State of Georgia.
14. Defendant breached his duty of care and was negligent by driving on the wrong side of the road, speeding, driving recklessly, failing to maintain a proper lookout, failing to follow traffic control signs, operating a motor vehicle while distracted, among other acts of negligence.
15. Defendant's actions constituted negligence *per se* by violating applicable laws and regulations including, but not limited to: O.C.G.A. § 40-6-180, O.C.G.A. § 40-6-241, and O.C.G.A. § 40-6-390.
16. The acts and omissions of Defendant Smith, including but not limited to the above-stated breaches of his duty of care and violations of applicable laws and regulations, were a cause-in-fact and the proximate cause of Mr. Ramachandran's injuries and damages.
17. The Crash was directly and proximately caused by the negligence of Defendant Smith.

### **Attorney's Fees**

18. Mr. Ramachandran is entitled to attorney fees pursuant to O.C.G.A. § 13-6-11 because Defendant has acted in bad faith, been stubbornly litigious, and caused Mr. Ramachandran unnecessary trouble and expense.

### **Damages**

19. Mr. Ramachandran is entitled to recover all elements of damages allowed under Georgia law.

20. Defendant is liable for Mr. Ramachandran's injuries and damages, pain and suffering, and all other elements of damages allowed under the laws of the State of Georgia.
21. To date, Mr. Ramachandran has incurred reasonable and necessary medical treatment expenses in excess of \$1,481,000 to date as a result of Defendant's negligence, the precise amount to be proven at trial.
22. Mr. Ramachandran seeks and is entitled to recover damages for:
  - 22.1. personal injuries;
  - 22.2. past, present, and future pain and suffering;
  - 22.3. disability;
  - 22.4. disfigurement;
  - 22.5. mental anguish;
  - 22.6. loss of capacity for the enjoyment of life;
  - 22.7. economic losses;
  - 22.8. incidental expenses;
  - 22.9. past, present, and future medical expenses, the precise amount to be proven at trial;
  - 22.10. lost earnings;
  - 22.11. loss of earning capacity;
  - 22.12. permanent injuries; and
  - 22.13. consequential damages to be proven at trial.
23. Mr. Ramachandran is entitled to an award of punitive damages as determined by the enlightened conscience of an impartial jury, because, among possibly other reasons which may be shown through discovery, the actions of Defendant indicate a pattern of dangerous driving which constitutes willful misconduct, wantonness, and displays an entire want of care which would

raise the presumption of conscious indifference to the consequences.

**Prayer for Relief**

24. Plaintiff respectfully requests and prays for the following relief:

- 24.1. process issue as provided by law;
- 24.2. trial by jury against Defendant;
- 24.3. judgment be awarded to Plaintiff and against Defendant;
- 24.4. Plaintiff be awarded damages in amounts to be shown at trial;
- 24.5. Plaintiff be awarded his attorney's fees due to Defendant's stubborn and litigious actions; and
- 24.6. Plaintiff have such other relief as this Court deems just and appropriate.

Submitted on June 29, 2022, by:

**The York Firm LLC**  
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Atlanta, Georgia 30306  
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470.357.6011 f.  
[arthur@theyorkfirm.com](mailto:arthur@theyorkfirm.com)  
[jflack@theyorkfirm.com](mailto:jflack@theyorkfirm.com)



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Arthur R. York  
Georgia Bar No. 204065  
Jonathan D. Flack  
Georgia Bar No. 111906  
**Attorneys for Plaintiff**



GEORGIA, FULTON COUNTY

DO NOT WRITE IN THIS SPACE

**STATE COURT OF FULTON COUNTY**  
 Civil Division

CIVIL ACTION FILE #: \_\_\_\_\_

\_\_\_\_\_  
 ARAVIND RAMACHANDRAN

Plaintiff's Name, Address, City, State, Zip Code

vs.

MARK SMITH  
 \_\_\_\_\_  
 \_\_\_\_\_

Defendant's Name, Address, City, State, Zip Code

TYPE OF SUIT	AMOUNT OF SUIT
<input type="checkbox"/> ACCOUNT	PRINCIPAL \$1,481,000+
<input type="checkbox"/> CONTRACT	
<input type="checkbox"/> NOTE	INTEREST \$ _____
<input type="checkbox"/> TORT	
<input type="checkbox"/> PERSONAL INJURY	ATTY. FEES \$ _____
<input type="checkbox"/> FOREIGN JUDGMENT	
<input type="checkbox"/> TROVER	COURT COST \$ _____
<input type="checkbox"/> SPECIAL LIEN	
*****	
<input type="checkbox"/> NEW FILING	
<input type="checkbox"/> RE-FILING: PREVIOUS CASE NO.	_____

**SUMMONS**

TO THE ABOVE NAMED-DEFENDANT:

You are hereby required to file with the Clerk of said court and to serve a copy on the Plaintiff's Attorney, or on Plaintiff if no Attorney, to-wit:

Name: Jonathan D. Flack

Address: 1776 Briarcliff Rd. NE, Suite 200

City, State, Zip Code: Atlanta, Georgia 30306

Phone No.: 404-990-3388

An answer to this complaint, which is herewith served upon you, must be filed within thirty (30) days after service, not counting the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint, plus cost of this action. **DEFENSES MAY BE MADE & JURY TRIAL DEMANDED**, via electronic filing or, if desired, at the e-filing public access terminal in the Self-Help Center at 185 Central Ave., S.W., Ground Floor, Room TG300, Atlanta, GA 30303.

Christopher G. Scott, Chief Clerk (electronic signature)

**SERVICE INFORMATION:**

Served, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

DEPUTY MARSHAL, STATE COURT OF FULTON COUNTY

WRITE VERDICT HERE:

We, the jury, find for \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_. \_\_\_\_\_ Foreperson

(STAPLE TO FRONT OF COMPLAINT)